

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 10-cv-0238 WJ/SMV

**NICOLE HICKS; THE FINANCE CO. OF
N.M., INC.; CREDIT ACCEPTANCE CORP.;
LESLIE BECKER; LITTLE BOYS LLC;
ASHOK KAUSHAL; LITTLE INVS. LLC;
N.M. DEP'T OF WORKFORCE SOLUTIONS;
DEBORAH HICKS; GLEN HICKS;
and PATRICK H. PADILLA;**

Defendants.¹

ORDER FOR STATUS REPORT

THIS MATTER is before the Court sua sponte. More than two years have passed since all of the claims against all of the parties were resolved in this case. However, the filing of closing documents has been delayed while the United States attempted to sell certain foreclosed property. *See* [Doc. 107]. The presiding judge, Honorable William P. Johnson, appointed a receiver on November 26, 2014, to facilitate the sale of the property. [Doc. 110]. In April of 2015, the United States moved to consolidate this case with *Garcia v. Knee*, 15-cv-0258 RB/WPL, which represented a dispute between the lessees of the property and the receiver. [Doc. 111]. Judge Johnson found that there were no common issues of law or fact between the

¹ The Finance Company of New Mexico was voluntarily dismissed. *See* [Doc. 44]. Default judgments have been entered against Defendants Credit Acceptance Corporation; Leslie Becker; Little Boys, LLC; Little Investments, LLC; Nicole Hicks; Deborah Hicks; Glen Hicks, and Ashok Kaushal. [Docs. 27, 28, 67, 68, 77, 90, 102]. Defendants Bernalillo County Treasurer (formerly Patrick H. Padilla, now Manny Ortiz) and New Mexico Department of Workforce Solutions have entered into a stipulation with the United States resolving the claims against them. [Doc. 89].

two cases, and he denied the motion on June 1, 2015. [Doc. 112]. (Soon thereafter, on July 13, 2015, the *Garcia* case was dismissed for failure to state a claim and based on quasi-judicial and sovereign immunity.) Since Judge Johnson denied the motion to consolidate 18 months ago, nothing further has been filed on the record.

IT IS THEREFORE ORDERED that no later than **January 19, 2017**, the United States file a report explaining the status of sale and when it expects to be able to file closing documents.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge